REMARKS

The Office Action dated October 19, 2004 requires Applicant to elect one of three identified groups of claims (i.e., Groups I, II or III). The Applicant hereby elects Group I, which includes claims 1-19 and 38-47. However, this election is made with traverse for the following reasons.

M.P.E.P. § 803 states that an application may be properly restricted to one or more claimed inventions only if (1) the inventions are independent or distinct as claimed, and (2) there is a serious burden on the Examiner if restriction is not required. Thus, even if appropriate reasons exist for requiring restriction, such a requirement should not be made unless there is an undue burden on the Examiner to examine all of the claims in a single application. It would seem that the searches involved for all three claim groups would substantially overlap, in the very least as evidenced by the fact that the Applicant has already received a complete action on the merits without prompting a Restriction Requirement.

For at least the above-identified reasons, the Applicant accordingly requests removal of the Restriction Requirement and examination of all of the pending claims, i.e., claims 1-6, 8-10 and 12-48.

The Examiner is urged to contact the undersigned if any issues remain unresolved by this Response.

Respectfully Submitted,

Himly

Dated: November 19, 2004

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